

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-99-0433 WBS GGH P

vs.

SON VAN NGUYEN,

Movant.

ORDER

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By stipulation and order, filed on June 9, 2011, petitioner's amended motion pursuant to 28 U.S.C. § 2255, was due to be filed on June 27, 2011, with the government's answer due thirty days later. Although signed by movant's counsel and dated as filed on June 27, 2011, the amended § 2255 motion was dated in the court's electronic docket system as filed a day later, on June 28, 2011. In any event, the court hereby deems any tardiness in filing the amended motion de minimis in this instance; however, the undersigned notes that respondent has failed to file a response and the time for doing so has long expired.

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Accordingly, IT IS ORDERED that the government show cause for its failure to file a timely response to movant's amended § 2255 motion (docket # 1548), as well as file its response to the amended motion, within seven days of the date of its order.

DATED: September 22, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

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